



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,455	04/28/2000	Haruo Machida	35.C14455	3832

5514 7590 05/05/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/559,455

Applicant(s)
Haruo Machida

Examiner
Tadesse Hailu

Art Unit
2173



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 10, 2003
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-45 is/are allowed.
- 6) ☒ Claim(s) 46-51, 55-60, 62-68, 73, and 74 is/are rejected.
- 7) ☒ Claim(s) 52-54, 61, and 69-72 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: |

Art Unit: 2173

DETAILED ACTION

1. This Office Action is in response to the AMENDMENT entered Feb 10, 2003 for the patent application (09/559,455) filed 4/28/2000.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 46-51, 55-60, 63-66, 73 and 74 are rejected under 35 U.S.C. 102(b) as being anticipated by Jalalian et al (5,548,722).**

The invention of Jalalian et al ("Jalalian") is generally directed to computerized networks. It is more specifically directed to a system for navigating through a network and accessing desired network services. Regarding **claim 46**, Jalalian discloses a plurality of image output devices, such as scanners, dot matrix printer, and ink jet printer (Fig. 1a) having some similarity functions. The devices are represented in icon display format (Fig. 2b, Fig. 7, etc.), wherein each device has a specific processing as shown by the icons appearance or by the name of the icon, i.e., an icon of a laser printer does a print function and a scanner scans images. Thus, the appearance of the icons enable a user to identify or discriminate the specific function of each icons. **Claim 47**, while not necessary identical in scope, contain limitations similar to independent claim 46 and therefore are rejected under the same rationale. **Claim 48**, while not necessary identical in scope, contain

Art Unit: 2173

limitations similar to independent claim 47 except for displaying a mark representing the device's capabilities. Moreover, Jalalian also discloses an identifier for the displayed icon printers, such as *fast* or *slow* near by the icons to mark their capabilities (Fig. 4b), and therefore claim 48 is rejected under the same rationale Claim 46. Regarding **claims 49, 50, 51, 55, and 56**, Jalalian also discloses selection, and then execution of a displayed icon device, such as selecting scanner, printer or any selectable icon device for execution. As to **claim 63**, as shown in the display panel (fig. 2A) the icon for each function is a specific icon, wherein the appearance of each icon is also different according to makers (Jalalian: column 9, lines 42-column 10, lines 65). Regarding **claim 64**, Jalalian also shows an icon resembling the actual device, such as any of the printer icons in Fig. 7 resembles the shape of actual printer. As per **claim 65**, and **claim 66**, Jalalian discloses visually displaying a data communication medium connecting available devices in ionic format including displaying their identity in textual (data) form, such as what kind of device or printers they are (Fig. 7).

Independent **claims 73 and 74** correspond generally to independent claim 46 and recite similar features in system and storage medium form, respectively, and therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

Art Unit: 2173

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 57-60, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548,722)

Jalalian discloses a plurality of user-shared resources 131, 132, etc., that are provided on the network. These user-shared resources can include, but are not limited to, a plurality of selectable icon printers. But, **claims 57 and 58** call for a digital camera icon selection, and **claim 59** calls for a plurality of ionic device display including facsimile, copy machine, digital camera computer, scanner, printer and multi functional device. However, Official notice is taken that it is well known also as suggested by Jalalian (fig. 7, column 6, lines 36-43) to visually (ionic) provide other shard resource including scanner, fax machine, digital camera and modem for a user selection. And as for **claim 60**, it is also well known to display an icon in grayout mode to indicate the icon is not active/unusable. Also it is well known in the art of printing to display the number of jobs spooled for a spooled device (**claim 62**). Thus, since a plurality of shared resource can be connected to the network 100, a plurality of selectable devices represented in ionic form will be provided by the network 100 to a user, which is user will have variety of services at his own desktop.

5. **Claims 67, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalalian et al (5,548,722) in view of Ahearn et al (5,926,463).**

Art Unit: 2173

While Jalalian displays a path or link (Fig. 7) to connect the icons for the respective device, but Jalalian is not explicitly shown enabling to discriminate a connection structure between the device in the system and a communication medium. appearance of the link or communication. However, Ahearn which is a related art with Jalalian discloses a method and apparatus for viewing a configuration of a computer network further includes different appearance of a communication path or link and color-coded status of an object icon associated to a specific task (see column 5, lines 39-57, column 8, lines 15-55, Fig. 8). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the path or connection lines of Jalalian with color-coded status of Ahearn because user will be able to easily identify a connection and it will enhance the network resource management system in monitoring the system for a troubleshooting.

Allowable Subject Matter

6. **Claims 1-45** are allowed.

The reason for allowance as indicated in the last Office Action, the prior art of records failed to teach, among other things, to display a mark indicating such a fact nearby the icon corresponding to the device capable of coping with the color data processing (claims 1-45).

7. **Claims 52-54, 61, and 69-72** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2173

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art of records discloses a plurality of resource icons, such as printer icon and scanner icon. The prior art of records could identify the installed peripherals as input or output device and displays these devices as icons, whereas, in the present invention, the present invention not only identifying a device as input or output device during installation, but, as claimed in claim 52, "...the display control causes the display unit to be able to execute the display enabling discrimination from which icon displayed for the plural scanners is an icon for the device capable of coping with the color processing." Thus, in contrast to the prior art of records, the claim of the present invention include recitation not taught or suggested by the prior art of record, whether considered alone or in any permissible combination. Similarly, the prior art of records fail to disclose the limitations of claims 53, and 54. The prior art of records further fails to disclose the limitation of claim 61, that is, enabling the display unit to display an icon for the device in which the driver is not installed. The prior art of records also fails to disclose the limitations of claims 69-72, that is, "... a combined function, the function obtained by combining the functions of the plural devices corresponding to the plural icons selected."

Thus, prior art neither renders obvious nor anticipates the combination of claimed elements in light of the specification.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

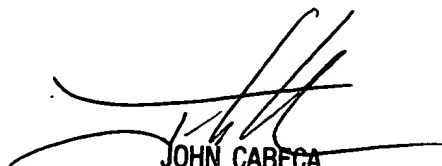
Art Unit: 2173

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 8:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu April 24, 2003


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100